



Mental
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21 March 2022

Honorable Stewart D. Aaron
U.S. Magistrate Judge
Southern District of New York
Daniel Patrick Moynahan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Request GRANTED. SO ORDERED.

Dated: March 22, 2022

Att cl an

Re: *Perez v. Kijakazi*, 21 CV 07902 (SDA)

Dear Judge Aaron:

I represent the Plaintiff, Krystalie Perez, in this Social Security appeal of a dismissal of her case. I write now to respectfully request an extension of time to file Plaintiff's motion for judgment on the pleadings and to modify the briefing schedule. This is Plaintiff's first request for an extension of time, and it would be the first extension of time for any deadlines.

This request is not made on consent because Defendant's counsel has not replied to my inquiries. Since last Monday, I emailed twice and called and left voicemail messages twice for Ms. Treanor, the most recent counsel for Defendant to appear. The email address for Mr. Kershner no longer works, but his telephone number provides an alternative number to call. I called that new number and left a message, but I did not hear back.

Previously in this case, the Commissioner filed the certified administrative transcript on January 24, 2022 (Dkt. 12). The current scheduling order, based on the standing order for scheduling, requires Plaintiff to file her motion within 60 days, or on or by Friday, March 24, 2022 (Dkt. 5). Plaintiff now requests a four-week extension of time to file her motion and papers.

Plaintiff makes this request because this small practice in my office has been short-staffed for several months and I am also assisting in the supervision of new hires. An extension of time would allow me to better manage the demands of the next few weeks. Also, I am unexpectedly out of the office for several days this week for personal reasons.

Therefore, I respectfully request an extension of time for the filing of Plaintiff's motion and brief to Friday, April 22, 2022. Under current Standing Order 16 Misc. 171, the briefing schedule would change to the following dates:

Plaintiff's brief: April 22, 2022

Defendant's Cross Motion: June 21, 2022

Plaintiff's reply : July 12, 2022

Thank you for considering this request.

Sincerely,

/s/

Ann P. Biddle
Litigation Supervisor
Mental Health Project

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